

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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James Smith,

Plaintiff,

v.

McCarthy, Burgess & Wolff, Inc.,

Defendant.

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: Civil Action No.: 09-cv-01748-CAB  
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**NOTICE OF WITHDRAWAL OF COMPLAINT AND VOLUNTARY  
DISMISSAL OF ACTION WITH PREJUDICE  
PURSUANT TO RULE 41(a)(1)(A)(i)**

Plaintiff, James Smith, by his attorney, hereby withdraws his complaint and voluntarily dismisses this action, without prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i).

Dated: September 23, 2009

Respectfully submitted,

IT IS SO ORDERED.

By: /s/ Brian T. McElroy

S/CHRISTOPHER A. BOYKO  
U.S. DISTRICT COURT JUDGE

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